

**DOCUMENT FL&BH 5.3**  
**SUMMARY OF EVIDENCE**  
**MR DANIEL JAMES WEAVER BA (HONS) MA MRTPI**

**IN RESPECT OF:**

**OUTLINE PLANNING APPLICATION FOR  
LAND AT NEWGATE LANE (NORTH), FAREHAM**

**AND**

**OUTLINE PLANNING APPLICATION FOR  
LAND AT NEWGATE LANE (SOUTH), FAREHAM**

**ON BEHALF OF FAREHAM LAND LP AND BARGATE HOMES LIMITED**

**LPA Ref: P/18/1118/OA and P/19/0460/OA**

**PINS Refs: 3252180 and 3252185**

**Prepared by: Daniel Weaver**



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- 1.1 My name is Daniel James Weaver and I hold a Bachelor of Honours in Town and Country Planning from the University of the West of England. I have been a member of the Royal Town Planning Institute since 2000. I have practiced in the private sector for the majority of my career and have 19 years' experience in advising a variety of clients including landowners, house builders, developers and retail/leisure operators. The evidence which I present in my Proof of Evidence is given in accordance with the guidance of my professional institution, and I confirm that the opinions expressed are my true and professional opinions.
- 1.2 My Proof of Evidence deals with both the appeal at Land at Newgate Lane (North) (LPA ref. P/18/1118/OA) and Land at Newgate Lane (South) (LPA ref. P/19/0460/OA). I shall refer to these as the 'northern' site and the 'southern' site respectively. The two sites are adjacent to one another, and form a single parcel of land situated between the original Newgate Lane to the west and the newly constructed Newgate Lane East to the east. The appeal sites are located outside of the settlement boundary and within the countryside.
- 1.3 As my evidence is concerned with matters of planning policy, it touches on all the reasons for refusal cited by the LPA but with a particular emphasis on those policies concerning the principle of residential development, the application of the presumption of sustainable development and how the various considerations are to be weighed into the 'planning balance'. Detailed evidence on the other matters is provided by the following specialists:
- Mr Neil Tiley – Housing Land Supply;
  - Mr James Atkin – Landscape and Visual Impact;
  - Mr Anthony Jones – Highways and Sustainability;
  - Ms Martha Hoskins – Highways (Traffic Modelling Specialist); and
  - Mr David West – Ecology.
- 1.4 The appellant considers the main matter of the appeals to be as follows:

- **Issue 1** – The presumption in favour of sustainable development and how it should be applied in this case;
- **Issue 2** – The principle of development and the alleged conflict with the spatial strategy;
- **Issue 3** – The landscape character impact of the proposals and the alleged conflict with the Strategic Gap and local character;
- **Issue 4** - The loss of best and most versatile agricultural land (northern site only);
- **Issue 5** – The highways impact of the proposals and the alleged adverse impact on the local network;
- **Issue 6** – The ecological impact of the proposals and the alleged adverse impacts on the ecological value of the site in relation to chamomile (southern site only);
- **Issue 7** - The ecological impact of the proposals and the alleged adverse impacts on the SPAs;
- **Issue 8** – Planning Obligations; and
- **Issue 9** – The benefits of the proposals and the planning balance.

1.5 However, it is expected that issues 5 – 9 inclusive will be addressed by legal agreement prior to the inquiry.

1.6 It is the appellant's case that the appeal proposals represent sustainable development within a location which is both accessible and appropriate for development in landscape terms.

1.7 One of the fundamental objectives of the NPPF is to boost the supply of housing as part of the 'golden thread' of the presumption in favour of sustainable development.

1.8 The NPPF test provides that in the absence of a five year housing land supply/failure to meet the Housing Delivery Test, planning permission should be granted without delay unless any adverse impacts of doing so would “significantly and demonstrably outweigh the benefits”, when assessed against the policies in this Framework taken as a whole”.

1.9 I have identified the following social, economic and environmental impacts of the proposals as follows:

### **Economic**

- |  |                     |
|--|---------------------|
| • Increased local spending   | Significant Benefit |
| • Construction jobs and related industries                                   | Significant Benefit |
| • Role of housebuilding in supporting the post-Brexit and post-COVID economy | Significant Benefit |

### **Social**

- |   |                     |
|---|---------------------|
| • Provision of new housing in light of current housing land supply position | Substantial Benefit |
| • Provision of affordable housing   | Substantial Benefit |
| • On-Site Open space  | Substantial Benefit |

### **Environmental**

- |                                      |                      |
|--------------------------------------|----------------------|
| • On-site Mitigation and enhancement | Moderate Benefit     |
| • Commitment to sustainable design   | Minor Benefit        |
| • Effect on the SPAs                 | Neutral              |
| • Impact on the Strategic Gap        | Neutral              |
| • Landscape Impact                   | Minor adverse impact |

- Loss of agricultural land Very minor adverse impact

1.10 It is concluded that not only do the adverse impacts not significantly or demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole, but the benefits significantly outweigh any harm.

1.11 Notwithstanding the application of the tilted balance described above, it must be highlighted that in the situation where a five-year housing land supply cannot be demonstrated, policy DSP40 is engaged.

1.12 Whilst it is accepted that policies CS14 and DSP6 direct development to within the settlement boundaries and outside the strategic gaps, DSP40 establishes that development will be permitted outside these limits where there is no five-year housing land supply and where the relevant criteria are met.

1.13 Section 11 of my Proof of Evidence demonstrates that the tests of DSP40 are met because the proposal is:

- i) relative in scale to the five-year housing land supply shortfall;
- ii) well located and integrated with the neighbouring settlement;
- iii) sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;
- iv) deliverable in the short term; and
- v) all environmental, amenity and traffic implications are robustly addressed.

1.14 In the balancing exercise the urbanising effect of development of a greenfield site is therefore weighed against policy DSP40, and having met all the criteria described above we conclude that the proposal represents well designed, integrated sustainable development which can bring forward up to 190 new homes.

- 1.15 Similarly, DSP40 is also the relevant policy when it comes to assessing the impact of the proposals of the Strategic Gap, because in the absence of a five-year housing land supply the weight to be given to policy CS22 is reduced and DSP40 becomes the operative policy.
- 1.16 Whereas CS22 allows development with the Strategic Gap where it does not adversely affect the integrity of the gap criterion iii) of DSP40 accepts in principle the possibility of adverse impacts, so long as the proposal is sensitively designed to minimise any impacts.
- 1.17 Whilst we maintain that the proposals have a neutral effect (i.e. no adverse impact) on the integrity of the Strategic Gap (and would therefore meet the provisions of either policy), it is the lower test of DSP40 which is the relevant threshold.
- 1.18 In consideration of the other main matters which relate to highways, loss of agricultural land and ecology, my evidence has concluded that all relevant technical policies of the development plan have been complied with, and that the necessary agreements and conditions are being put in place to secure any necessary obligations. Obligations are also being secured for contributions in relation to affordable housing, recreational and education infrastructure.
- 1.19 My overall balancing exercise concludes that not only do the adverse impacts of the proposals not significantly or demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole, but that the benefits significantly outweigh any harm.
- 1.20 I therefore respectfully request that the appeals be allowed.